

BOARD OF ETHICS
OPEN SESSION MINUTES

October 23, 2013 - 3:15 p.m.
740 North Sedgwick, Suite 500

BOARD MEMBERS PRESENT

Stephen W. Beard, Chair
Russell F. Carlson
Mary T. Carr
Frances R. Grossman
Daisy S. Lezama

Present via teleconference

Hon. Julia M. Nowicki

STAFF PRESENT

Steven I. Berlin, Executive Director
Lisa S. Eilers, Deputy Director
Richard J. Superfine, Legal Counsel
Ana Collazo, Attorney Investigator
Edward Primer, Program Director
Paully Casillas, Staff Assistant

BOARD MEMBER ABSENT

Hon. Michael J. Gallagher

The Board quorum appointed member Frances R. Grossman to act as Chair *Pro Tem* to serve until the expected attendance by the Chair, Stephen W. Beard.

I. APPROVAL OF MINUTES

The Board VOTED 5-0 (Hon. Michael J. Gallagher and Stephen W. Beard, absent) to approve the Open Session Minutes of the September 25, 2013 meeting.

II. CHAIR'S REPORT

Deferred.

III. EXECUTIVE DIRECTOR'S REPORT

A. EDUCATION-CLASSES

Since the last Board meeting, we have held 2 classes in our offices, on September 26 and October 10. Twenty-nine (29) employees attended. There are currently Thirty-two (32) employees scheduled for classes on October 24 and November 7 and 21. Staff is working on setting up training classes for all aldermen and their designated campaign staff on the changes to the City's campaign financing laws.

On October 29, the Executive Director will serve as a guest speaker on ethics in City government at an undergraduate class in the Political Science department at Loyola University.

B. ON-LINE TRAINING

There are currently 31,114 employees and 50 aldermen scheduled to complete the 2013 on-line training. To date, 25,626 employees and 9 aldermen have done so—about 82 % of the total—and another 450 are in progress.

C. 2014 Budget

This morning, the Mayor delivered his 2014 budget address, and introduced the City's budget. For your information, I am distributing copies of our agency's allocation. Highlights include enhancements for training and funding for court reporting. Our public budget hearing before the City Council's Committee on Budget and Operations is scheduled for October 31. Our budget appropriation reflects a .7% increase from last year.

D. LOBBYISTS

As of today's date, we have 666 registered lobbyists, and have collected \$361,175 in registration fees this calendar year. Lobbyists' quarterly activity reports were due Monday, October 21. Currently we have received 629 reports; there remain 37 lobbyists who have not filed them. In accordance with the Ordinance, earlier today, staff notified these lobbyists of the filing deadline. Late lobbyists are subject to fines of \$1,000 per day.

E. STATEMENTS OF FINANCIAL INTERESTS

We have received and processed 3,503 Statements of Financial Interests from those persons required to file them in 2013. Of the 3,478 required to file by May 31, all but 6 appointed officials have filed. This puts the City at 99.9% compliance. These 6 were found to have violated the Ordinance, and their names sent to the Mayor's Office for possible sanctions, including removal from office. Staff has been in frequent communication with the Mayor's Office on this matter.

F. INFORMAL ADVISORY OPINIONS

To date in 2013, we have been asked for and issued 5,053 informal advisory opinions via telephone, email and in person. 77% of these were issued to City employees and officials (about 9% of these to elected officials and department heads). 16% were issued to lobbyists. The remainder were from former employees or officials, attorneys, vendors or other business entities, other government agencies, political committees or political contributors. Fewer than 2% came from the media.

We have seen a continued increase in travel-related requests, since the enactment of the City's new travel policy by the Office of Budget & Management, and jumps in inquiries relating to political activity, use of City property, and service on non-profit boards.

G. UPDATED TRAINING

An updated training program for persons and business entities that have or are seeking contracts with the City has been posted on our website.

H. CAMPAIGN FINANCING INVESTIGATION TRANSITIONS

Staff has met extensively with representatives from the City Inspector General's and Legislative Inspector General's offices regarding transitioning existing and future investigations of potential violations of the "old" Campaign Financing Ordinance and new Article VI of the revised Governmental Ethics Ordinance to these offices. As of July 1, 2013, this agency no longer investigates violations of these Ordinances.

I. MEETING WITH "SISTER AGENCY" ETHICS OFFICERS

Yesterday, staff had its quarterly meeting with ethics officers from the Chicago Public Schools, Chicago Transit Authority, City Colleges, and Chicago Housing Authority. We discussed issues of common concern, including training methods and software, issuance of informal advisory opinions, and the functions of adjudication and investigation.

J. RULES & REGULATIONS

Staff continues to work on the draft Rules & Regulations that were released for public comment, and are pushing toward a final draft for submission to City Council. The Rules & Regulations would become effective 45 days after they are submitted to City Council, unless the City Council votes (by majority vote) to disapprove them.

K. 2013 COGEL CONFERENCE

From December 7 through 11, two staff members will attend the 35th annual Council on Governmental Ethics Ordinance Laws in Quebec City. We anticipate that more than 300 jurisdictions in the U.S. and Canada will be represented. The Executive Director will be a presenter at a breakout session.

L. FREEDOM OF INFORMATION ACT

Since the last regularly scheduled Board meeting, the office has received 6 new requests under the Freedom of Information Act. These were: 5 requests for lobbyists' filings for 8 lobbyists between 2005 and 2013; and 1 request for records not in this agency's control or possession. The Board advised the latter requestor that it had no requested records, and to the first produced 63 records of lobbyists' filings, making 20 copies of documents from the latter records.

IV. DEPUTY DIRECTOR'S REPORT

None.

V. OLD BUSINESS

M. THE 2014 BOARD OF ETHICS MEETING SCHEDULE

The Board deferred consideration in order to review the proposed 2014 Board of Ethics meeting schedule and vote on it after the Chair joined the meeting.

N. CASE NOS. 12031.OLIG, 13009.OLIG AND 13014.OLIG FINAL REPORTS

The Board deferred consideration in order to review the proposed hearing procedures in executive session.

VI. NEW BUSINESS

O. PROPOSED AMENDMENTS SUBMITTED AT OCTOBER 16, 2013 CITY COUNCIL MEETING

After the Executive Director gave a brief summary, the Board deferred consideration in order to review the proposed amendments in executive session.

At 3:30 p.m. the Board took a short break and resumed meeting in open session at 3:39.

At 3:39 p.m., Stephen W. Beard, Chair, joined the meeting in progress and relieved the Chair Pro Tem Frances R. Grossman of her duties.

The Board VOTED 6-0 (Hon. Michael J. Gallagher, absent) to adjourn into Executive Session at 3:43 p.m. under 5 ILCS 120/2(c)(1) to discuss the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity.

THE RECONVENED OPEN SESSION

After the Executive Session, the Open Session of the meeting reconvened at 5:11 p.m.

Member Hon. Julia M. Nowicki ended the teleconference call at 4:30 p.m. and physically joined the executive session meeting in progress at 4:50 p.m.

At 5:00 p.m. member Daisy S. Lezama left the meeting during the executive session.

VII. MATTERS CONSIDERED BY THE BOARD IN EXECUTIVE SESSION

I. APPROVAL OF EXECUTIVE SESSION MINUTES

The Board confirmed that in executive session it VOTED 6-0 (Hon. Michael J. Gallagher, absent) to approve the minutes, as amended, of the September 25, 2013 meeting in executive session.

II. APPROVAL OF THE 2014 BOARD MEETING SCHEDULE REVIEWED BY THE MEMBERS IN OPEN AND EXECUTIVE SESSION

The Board VOTED 5-0 (Daisy S. Lezama and Hon. Michael J. Gallagher, absent) to approve and publish the 2014 Meeting Schedule for the Chicago Board of Ethics as follows:

January 22, Wednesday	July 23, Wednesday
February 19, Wednesday	August 20, Wednesday
March 19, Wednesday	September 17, Wednesday
April 16 Wednesday	October 15, Wednesday
May 14, Wednesday	November 19, Wednesday
June 18, Wednesday	December 17, Wednesday

All meetings will be held at 3:00 p.m. at the Board of Ethics, 740 North Sedgwick, Suite 500, Chicago, Illinois 60654.

III. CASES

A. OFFICE OF LEGISLATIVE INSPECTOR GENERAL

1. Case No. 13046.OLIG, Petition to Investigate
2. Case No. 13050.OLIG, Petition to Investigate

The Board VOTED 5-0 (Daisy S. Lezama and Hon. Michael J. Gallagher, absent) to grant both petitions from the Legislative Inspector General in order for him to commence investigations in each of the above-listed cases.

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At 5:20 p.m., the Board VOTED 5-0 (Daisy S. Lezama and Hon. Michael J. Gallagher, absent) to adjourn the meeting.

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